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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-------------------------|-------------|------------------------|---------------------|------------------|
| 10/621,859 | 07/16/2003 | Andrew R. Weisenberger | W-332 | 1761 |
| 802 | 7590 | 06/10/2004 | EXAMINER | |
| DELLETT AND WALTERS | | | JIANG, CHEN WEN | |
| P. O. BOX 2786 | | | ART UNIT | |
| PORTLAND, OR 97208-2786 | | | PAPER NUMBER | |
| | | | 3744 | |

DATE MAILED: 06/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/621,859

Applicant(s)

WEISENBERGER ET AL.

Examiner

Chen-Wen Jiang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1,2 and 5-21 are rejected under 35 U.S.C. 102(b) as being anticipated by O'Halloran et al. (U.S. Patent Number 5,992,161).

O'Halloran et al. disclose an air handler control temperature, humidity and/or cleanliness of air. O'Halloran et al. also disclose dehumidification is often advantageous during plant construction. Referring to FIG. 1, there is shown a block diagram illustrating a conventional make-up air handler 100, which comprises a preheating coil 102, a humidifier 104, a primary cooling coil 106, a secondary cooling coil 108, a heating coil 110 and a filter 112. The preheating coil 102 heats the incoming air when the air is colder than a predetermined temperature. The preheating coil 102 is a conventional preheat coil. The humidifier 104 adds moisture to the air when the air is dryer than a predetermined wet bulb humidifier. The humidifier 104 is a conventional humidifier. The primary cooling coil 106 cools incoming warm, moist air to a preset temperature. The incoming air is typically in a wide temperature range because of seasonal variations. This cooling is performed when the ambient air temperature is warmer than the preset temperature. The primary cooling coil 106 includes a series of coils using chilled water from a remote utility plant (not shown). The secondary cooling

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coil 108 further cools the air to a target dew point temperature that is associated with a desired humidity.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-7,12,13,14,15 and 20-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson (U.S. Patent Number 5,212,958).

Anderson discloses a dehumidifier apparatus for automatic and continuous emptying of water condensate. Portable dehumidifiers have been found useful in controlling the moisture in the air contained in interior rooms of buildings. Referring to Figs.1 and 2, the apparatus comprises a dehumidifier 22, blower 24 and a humidistat control 34. The purpose of the dehumidifier is to reduce the moisture at the area. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the apparatus for construction project such as remodeling office or house.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chen-Wen Jiang whose telephone number is (703) 308-0275.

The examiner can normally be reached on Tuesday-Friday from 7:00 to 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Denise Esquivel can be reached on (703) 308-2597. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Chen-Wen Jiang
Primary Examiner

A handwritten signature in black ink, consisting of a series of loops and strokes, positioned to the right of the name and title.